

Remarks

Claims 1-26 remain in this application.

Claim Rejections—35 USC § 102

Examiner rejected claims 1, 5, 6-7, 18-19, and 21-23 under 35 USC 102(e) as being anticipated by US Patent Number 6,636,666 to Chan et al. henceforth referred to as Chan.

Claim 1

Claim 1 has been rejected under 35 USC 102(e) as being anticipated by Chan. Claim 1 of Applicant's invention discloses "A multi-wavelength light source, comprising: a gain medium which emits light of a plurality of wavelengths in response to pumping, the gain medium disposed in an optical cavity which repetitively passes light through the gain medium; and an optical equalizer in the optical cavity, the optical equalizer adjusting the optical power of at least one of the wavelengths so as to provide more even optical power distribution among the plurality of wavelengths propagating through the optical cavity."

Examiner would kindly note that Applicant's teaching expressly discloses a "multi-wavelength light source" not taught, implied or suggested by the cited reference of Chan. Chan's objective is clearly defined as being to "equalize the power of at least one wavelength (or frequency) in a multi-wavelength optical signal." Examiner would appreciate, as would a person skilled in the art, that a light source may also be used to transmit light generated, but a transmission medium, designed for the specific purpose of

transmitting light, as in Chan's teaching, cannot be used as a light source. Additionally, Chan's teaching does not, as claimed by the Examiner, imply repetitive passing of light through the gain medium or a feedback method to suggest such a repetitive passing of light. Further, Examiner acknowledges that it is not specifically claimed that such a feedback mechanism is used. In fact, Applicant would like to draw Examiner's attention to Chan's specification, where in the "Background of the Related Art" section, Chan claims that EDFA's with feedback circuits are complex mechanisms, and one of the objectives of Chan's invention is to address such a "drawback." This citation most emphatically indicates that Chan's invention does not suggest using a feedback mechanism, and thus repetitive passing of light.

Consequently, in light of the above, Applicant's claim 1 is not anticipated by Chan. Applicant therefore, respectfully requests that a 102(e) rejection to claim 1 be withdrawn and a notice of allowance be made.

Claims 5, 6-7, 18-19, 21-23

Examiner rejected claims 5, 6-7, 18-19, 21-23 under 35 USC 102(e) as being anticipated by Chan. Claims 5, 6-7, 18-19, 21-23 all depend on claim 1. As shown above, Chan does not address the limitations as disclosed in Applicant's claim 1 and a request for allowance of Applicant's claim 1 has been made. Consequently, Applicant submits that the invention as claimed in claims 5, 6-7, 18-19, 21-23 is not anticipated by Chan under 35 USC 102(e) and respectfully requests the rejection to the claims be withdrawn and a notice of allowance be made.

Claim Rejections—35 USC § 103

Claims 2-3

Examiner rejected claims 2-3 under 35 USC 103(a) as being unpatentable over Chan as applied to claim 1. As explained above in relation to rejection of claim 1 over Chan for anticipation, Chan does not disclose a light source as required by claim 1. Thus, contrary to Examiner's conclusion, Chan does not teach each and every element of claims 2-3 as required for a prima facie obviousness rejection. Adding a light source to Chan would alter the function, principle, and most importantly, the objective of the invention taught by Chan. Further, it would be impossible, in light of Chan, to arrive at a specific figure of 10 or 20 wavelengths to be adjusted by the optical equalizer without a fair degree of experimentation. That said, the primary objective of Applicant's invention as claimed, is to generate a multi-wavelength light signal, whereas Chan only teaches a method of amplifying an incoming one.

Consequently, and in light of the above, Applicant respectfully submits that the invention as claimed in claims 2-3 is not rendered obvious by Chan, and respectfully requests that the 103(a) rejection be withdrawn and a notice of allowance be made.

Claim 4

Examiner rejected claim 4 under 35 USC 103(a) as being unpatentable over Chan as applied to claim 1. As explained above in relation to rejection of claim 1 over Chan for anticipation, Chan does not disclose a light source as required by claim 1. Thus, contrary to Examiner's conclusion, Chan does not teach any element of claim 4 as

required for a prima facie obviousness rejection. Additionally, the teachings of Chan focus exclusively on the properties and drawbacks of current erbium doped fiber amplifiers (EDFA's) and method's to overcome their drawbacks, particularly in optical equalizers. These citations further preclude obviousness as they teach away from the use of an indium-phosphide based gain medium. That said, the primary objective of Applicant's invention as claimed, is to generate a multi-wavelength light signal, whereas Chan only teaches a method of amplifying an incoming one.

Consequently, and in light of the above, Applicant respectfully submits that the invention as claimed in claim 4 is not rendered obvious by Chan, and respectfully requests that the 103(a) rejection be withdrawn and a notice of allowance be made.

Claims 9-10

Examiner rejected claims 9-10 under 35 USC 103(a) as being unpatentable over Chan as applied to claim 1. As explained above in relation to rejection of claim 1 over Chan for anticipation, Chan does not disclose a light source as required by claim 1. Chan only teaches of a method and apparatus to equalize the power arriving as an optical signal. Thus, contrary to Examiner's conclusion, Chan does not teach any element of claims 9-10 as required for a prima facie obviousness rejection. Adding a light source to Chan would alter the function, principle, and most importantly, the objective of the invention taught by Chan. Further, the primary objective of Applicant's invention as claimed, is to generate a multi-wavelength light signal, whereas Chan only teaches a method of amplifying an incoming one.

Consequently, and in light of the above, Applicant respectfully submits that the invention as claimed in claims 9-10 is not rendered obvious by Chan, and respectfully requests that the 103(a) rejection be withdrawn and a notice of allowance be made.

Allowable Subject Matter

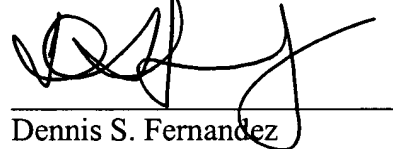
Applicant thanks the Examiner for indicating that claims 8, 11, 12, 13-17 contain allowable subject matter if rewritten to include all the limitations of the base claim. In light of the arguments presented above, Applicant believes it unnecessary to amend the claims as requested.

Applicant also thanks the Examiner for allowing claims 24-26.

CONCLUSION

In view of the foregoing, Applicant believes that all of the claims are now in condition for allowance. Applicant respectfully requests the Examiner to reconsider the rejections, and to issue a timely Notice of Allowance in this case. If for any reason, the Examiner believes any of the claims are not in condition for allowance, he is encouraged to call the undersigned attorney at 650-325-4999 so that any remaining issues may be resolved.

Respectfully submitted,


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